

Applicant: KIM SORENSEN et al.

Title: FOOD-GRADE CLONING
VECTOR AND THEIR USE IN
LACTIC ACID BACTERIA

Appl. No.: 09/673,617

Filing Date: 1/25/2001

Examiner: Unassigned

Art Unit: Unassigned

DECLARATION UNDER 35 U.S.C. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. My name is Jan Skouv and I am employed as a Patent Agent in the Division of Intellectual Property Rights or Chr. Hansen A/S, assignee of the captioned application.
2. The following biological materials, which are specifically identified in the referenced application as filed, were deposited under the terms of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purpose of Patent Procedure on the indicated dates and given the indicated accession numbers (DSM) by Deutsche Sammlung von Mikroorganismen und Cellkulturen GmbH, Mascheroder Weg 1b, D-38124 Braunschweig, Germany acting as the International Depositary Authority:

FA4-1-1	DSM 12086	6 April 1998
FH CY-1	DSM 12087	6 April 1998
pFG1.1	DSM 12088	6 April 1998
DN209/pFG7/øvML3	DSM 12089	6 April 1998
CHCC4171	DSM 12090	6 April 1998
pFG100	DSM 12091	6 April 1998

pFG200	DSM 12108	16 April 1998
CHCC 4146	DSM 12109	17 April 1998
pFG1	DSM 9190	6 May 1994

3. The biological material will be replaced should it die or be destroyed during the enforceable life of the patent and 5 years after the last request or 30 years after the date of deposit whichever is longer.
4. During the pendency of this application access to deposit material will be allowed to those persons properly designated by the Commissioner of Patents and Trademarks under 37 CFR §1.14 and 35 U.S.C §122.
5. The biological materials will be irrevocably and without restriction or condition released to the public upon issuance or the patent.
6. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; further, these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the instant patent application or any patent issuing thereon.

October 11, 2004
Date

Jan Skouy
Jan Skouy